



**FARMERS
BRANCH**

ORDINANCE NO. 1354

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED BY GRANTING A SPECIFIC USE PERMIT FOR A PHYSICAL FITNESS CENTER TO BE LOCATED ON THE PROPERTY AT 2720 HOLLANDALE LANE IN A LOCAL RETAIL-TWO ZONING DISTRICT ESTABLISHING CONDITION OF DEVELOPMENT AND OPERATION, PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE: PROVIDING A SAVINGS CLAUSE: PROVIDING FOR INJUNCTIVE RELIEF: AND DECLARING AN EMERGENCY.

WHEREAS, the City Plan Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch in compliance with the Charter of the City of Farmers Branch and the State Law with reference to the granting of a specific use permit under the zoning ordinance regulations and zoning map have given the requisite notices by publication and otherwise and after holding due hearings and affording full and fair hearings to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning use should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be and the same is hereby amended by amending the Zoning Map of the City of Farmers Branch, so as to grant a specific use permit for a physical fitness center on the property known as 2720 Hollendale Lane in a Local Retail-Two zoning district.

SECTION 2. That the above described property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein specified and by the granting of a Specific Use Permit for a Physical Fitness Center which shall be subject to the following development standards and conditions:

- a. The property must be platted as required by and in conformance with the requirement of the Cities subdivision and zoning ordinance.
- b. Utilities must be provided as required by ordinance of the City.
- c. That a site plan, indicating buildings, facilities, parking, firelanes, ingress and egress, refuse container location, screening, fences, utilities, signs and other improvements proposed for the property shall be submitted to, and approved by the City Council, prior to building permits being issued.
- d. A detailed landscape plan shall be submitted to and approved by the City Staff prior to building permit being issued.

- e. That an automatic underground irrigation system be provided in landscaped areas.
- f. A six (6') foot high masonry wall shall be constructed along the east property line. The wall shall be indicated on the site plan.
- g. Parking lots shall provide sufficient areas that will allow automobiles to turn around within the parking lots and not require automobiles to back out of a parking lot. The turn around areas shall be indicated on the site plan.
- h. Outside lighting in the exercise areas shall be of a low surface type so as not to reflect or shine into the residential areas. Outside lighting in the parking lot areas shall be of an indirect, diffused or shielded type that will not reflect or shine into the residential areas. Outside lighting, excluding security lighting, shall be on timers so that it will automatically turn off at night, when the facility is closed.
- i. The hours of operation shall not exceed 6:00 am to 10:00 pm Mondays through Friday, 9:00 am to 6:00 pm on Saturdays, and 12:00 noon to 6:00 pm on Sundays.
- j. The number of employees working at any one time at the facility shall not exceed twenty five (25).
- k. There shall be no meals or food served at the facility other than snacks which may be purchased from vending machines within the facility.

1. There shall be no overnight lodging at the facility.

m. The facilities shall be used by fee paying members only or guests of a member when accompanied by the member.

n. Children sixteen (16) years of age or under shall not use the facilities unless accompanied by their parent or guardian.

o. Membership identification cards shall be issued to fee or due paying members.

SECTION 3. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by fine not to exceed the sum of Two Hundred (\$200.00) Dollars for each offense.

SECTION 4. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 5. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 6. Whereas, it appears that the above described property requires that it be given the specific use permit in order to permit its proper use and development and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, creates an urgency and an emergency in the preservation of the public health, safety and welfare and requires

that this ordinance shall take affect immediately from and after its passage and publication of the caption of said ordinance as the law in such cases provides.

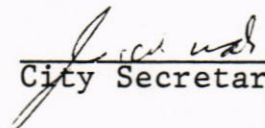
DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the 3 day of August, 1931.

APPROVED:



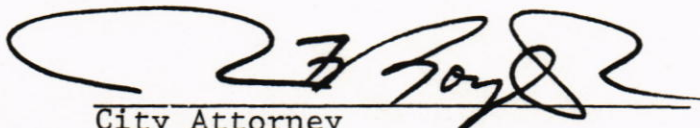
Mayor

ATTEST:



City Secretary

APPROVED AS TO FORM:



City Attorney